

DT06 Rec'd PCT/TO 02 DEC 2002 # DAC

6715/63010 #4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hirofumi Kawamura  
Serial No.: 09/869,995  
Filed: July 10, 2001  
For: COMMUNICATION CONTROL APPARATUS, HOST  
EQUIPMENT THEREOF, AND COMMUNICATION METHOD

I hereby certify that this paper is being deposited with the U.S.  
Postal Service as first class mail addressed to : Assistant  
Commissioner for Patents, Washington, D.C. 20231

Jay H. Maioli  
Reg. No. 27,213

Date  
November 25, 2002

November 25, 2002  
1185 Avenue of the Americas  
New York, NY 10036  
(212) 278-0400

PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION  
UNDER 37 CFR § 1.137(b)

Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

As required by 37 CFR § 1.137(b), Applicant hereby petitions  
for and requests revival of the unintentionally abandoned  
application identified above.

A Notice to File Missing Parts of this application was  
mailed on August 6, 2001. The signed Declaration was due on  
October 6, 2001.

A copy of this Notice to File Missing Parts and a signed  
Declaration is included herewith along with the fee set by 37 CFR  
1.16 (e).

12/02/2002 SLUANG1 00000001 09869995

01 FC:1453

1280.00 OP

The entire delay in submitting the signed Declaration from the due date of, October 6, 2001, until the filing of this petition pursuant to 37 CFR § 1.137(b) was unintentional.


The petition fee as set forth in 37 CFR §1.17(m) is also included herewith.

Any deficiency or overpayment should be charged or credited to the Deposit Account No. 03-3125.

Revival of this unintentionally abandoned application is respectfully petitioned for.

Respectfully submitted,

COOPER & DUNHAM LLP

  
Jay H. Maioli  
Reg. No. 27,213

JHM/ma  
encl.



## UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/869995	KAWAMURA	H 6715/63010
INTERNATIONAL APPLICATION NO.		
PCT/JP00/07998		
I.A. FILING DATE	PRIORITY DATE	
13 NOV 00	12 NOV 99	

JAY H MAIOLI  
COOPER & DUNHAM  
1185 AVENUE OF AMERICAS  
NEW YORK, NY 10036

AUG - 8 2001

DATE MAILED: 06 AUG 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☒ a Designated Office (37 CFR 1.494) ☐ an Elected Office (37 CFR 1.495):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.  |  |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |  |

2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

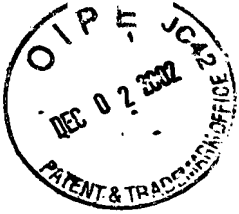
***A copy of this notice MUST be returned with this response.***

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Fred Smith

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3654



6715/63010

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Serial No.: 09/869,995  
Filed : July 10, 2001  
For : COMMUNICATION CONTROL APPARATUS, HOST  
EQUIPMENT THEREOF, AND COMMUNICATION METHOD  
Attention : Customer Service Center  
Initial Patent Examination Division

I hereby certify that this paper is being  
deposited this date with the U.S. Postal  
Service in first class mail addressed to  
Assistant Commissioner for Patents, Box PCT,  
Washington, D.C. 20231.

Jay H. Maioli  
Reg.No. 27,213

Date  
November 25, 2002

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1185 Avenue of the Americas  
New York, NY 10036  
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RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371 IN THE DO/EO/US

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing  
Requirements under 35 USC 371 mailed August 6, 2001.  
Applicants hereby submit a newly executed Declaration that  
identifies the above application by serial number and filing  
date.

The required surcharge is also submitted herewith  
along with a copy of the subject Notice.

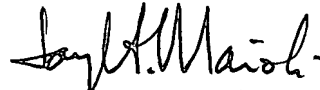
Accordingly, it is respectfully submitted that all elements of the application have now been filed and an early and favorable examination on the merits is earnestly solicited.

The Office is hereby authorized to charge any additional fees which may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our deposit account No. 03-3125.

Respectfully submitted,

COOPER & DUNHAM LLP

A handwritten signature in dark ink, appearing to read "Jay H. Maioli", is written over the typed name.

Jay H. Maioli  
Reg. No. 27,213

File: 6715/63010  
JHM:ma  
Enc.